

THE FOLLOWING DOCUMENTS
ARE ATTACHED:
(Please do not remove)

ER 3052 88

OCA 3026 88

OCA 3287 88

SUBJECT:

Central Intelligence Agency



Washington, D.C. 20505

30 September 1988
OCA 3287-88

The Honorable Louis Stokes, Chairman
Permanent Select Committee on Intelligence
House of Representatives
Washington, D.C. 20515

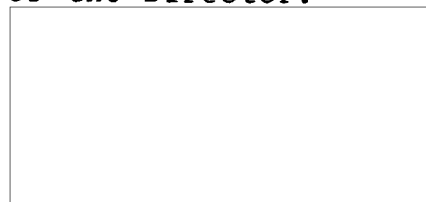
Dear Mr. Chairman:

The Director has asked me to respond to your letter of 28 July concerning reports to the House and Senate Intelligence Committees of "possible violations of law, executive or derivative regulations."

The standard we use in reporting such violations is based on Section 501(a)(3) of the National Security Act of 1947, which requires that the Intelligence Committees be informed of any "illegal intelligence activity." The legislative history to that section makes clear that a report shall be made upon confirmation of a violation, and should include a description of corrective action taken with respect to the violation.

There is a clear understanding within the Agency, again based on the legislative history to the National Security Act, that the Committees will be informed of any intelligence activity that violates any applicable law of the United States, any Executive Order or Presidential Directive, or significant violation of a rule or regulation issued pursuant to law. This information is provided to the Committees by the Office of Congressional Affairs, in coordination with the General Counsel and the Inspector General. There is also an Agency regulation that requires any employee who learns of any activity or instruction that he believes is unlawful, contrary to Executive Order, Presidential Directive or Agency regulation to inform the General Counsel, Inspector General or the Director.

Declassified When Separated
From Enclosures



25X1



~~SECRET~~

B-400-1R

S E C R E T

In response to your request, we have reviewed referrals made to the Intelligence Oversight Board during the last five calendar years (1984 through the present) to determine whether there were any reports involving a violation of law, Executive Order or derivative regulations that were not also reported to Intelligence Committees. The only matters that we have identified that were not reported to the Intelligence Committees in this category consisted of instances in which "technical" violations of the Agency's Attorney General-approved procedures or internal Agency regulations occurred. These violations were promptly corrected when the Office of General Counsel learned of them. Enclosed is a description of each of these instances with the remedial steps that were taken to prevent their recurrence.

Sincerely,



John L. Helgeson
Director of Congressional Affairs

25X1

Enclosures

D/OCA/JLH,  30 Sep 88

25X1

Distribution:

- Orig - addressee
- 1 - DCI (w/o enc.)
- 1 - DDCI (w/o enc.)
- 1 - EXDIR (w/o enc.)
- 1 - ER (w/enc.)
- 1 - GC (w/o enc.)
- 1 - IG (w/o enc.)
- 1 - Counsel/DCI (w/o enc.)
- 1 - D/OCA (w/o enc.)
- 1 - DDL/OCA (w/o enc.)
- 1 - DMP Chrono (w/o enc.)
- 1 - OCA Records (w/enc.)
- 1 - OCA/LEG Subj. File (w/enc.)
- OCARead

Page Denied

Next 9 Page(s) In Document Denied

ROUTING AND RECORD SHEET

SUBJECT: (Optional) Response to House Intelligence Committee Request for Reports to the Intelligence Oversight Board				
FROM: John L. Helgerson Director of Congressional Affairs		EXTENSION	NO. 88-1033	STAT
			DATE 13 SEP 1988	
TO: (Officer designation, room number, and building)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
	RECEIVED	FORWARDED		
1. Inspector General 6 E 18 HQS	9/19	WJD		1 to 3: See my note to the Det. OBE WJD
2.				
3. General Counsel 7 D 35 HQS	9/20/83		FB	
4.				
5. Executive Registry 7 E 12 HQS			W	
6.				
7. Executive Director	9 SEP 1983		JF	More Committee micromanagement. Seems harmless enough on its face.
8.				
9. Deputy Director of Central Intelligence				
10.				More Committee micromanagement. Seems harmless enough on its face. (JT)
11. Director of Central Intelligence	9/28	9/29	WJA	
12.				
13. Return to OCA/LEG Attn: 				
14.				
15.				



B-406-11

Page Denied

Next 1 Page(s) In Document Denied

S E C R E T

The Honorable Louis Stokes, Chairman
Permanent Select Committee on Intelligence
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Director has asked me to respond to your letter of 28 July concerning reports to the House and Senate Intelligence Committees of "possible violations of law, executive or derivative regulations."

The standard we use in reporting such violations is based on Section 501(a)(3) of the National Security Act of 1947, which requires that the Intelligence Committees be informed of any "illegal intelligence activity." The legislative history to that section makes clear that a report shall be made upon confirmation of a violation, and should include a description of corrective action taken with respect to the violation.

There is a clear understanding within the Agency, again based on the legislative history to the National Security Act, that the Committees will be informed of any intelligence activity that violates any applicable law of the United States, any Executive Order or Presidential Directive, or significant violation of a rule or regulation issued pursuant to law. This information is provided to the Committees by the Office of Congressional Affairs, in coordination with the General Counsel and the Inspector General. There is also an Agency regulation that requires any employee who learns of any activity or instruction that he believes is unlawful, contrary to Executive Order, Presidential Directive or Agency regulation to inform the General Counsel, Inspector General or the Director.

Declassified When Separated
From Enclosures



25X1

S E C R E T

S E C R E T

In response to your request, we have reviewed referrals made to the Intelligence Oversight Board during the last five calendar years (1984 through the present) to determine whether there were any reports involving a violation of law, Executive Order or derivative regulations that were not also reported to Intelligence Committees. The only matters that we have identified that were not reported to the Intelligence Committees in this category consisted of instances in which "technical" violations of the Agency's Attorney General-approved procedures or internal Agency regulations occurred. These violations were promptly corrected when the Office of General Counsel learned of them. Enclosed is a description of each of these instances with the remedial steps that were taken to prevent their recurrence.

Sincerely,

John L. Helgerson
Director of Congressional Affairs

Enclosures

S E C R E T

SUBJECT: Note for Director re Response to House Intelligence Committee
Request for Reports to the Intelligence Oversight Board

D/OCA/JLH/ [] 12 Sept 88

25X1

Distribution:

- Orig - addressee
- 1 - DDCI (w/att.)
- 1 - EXDIR (w/att.)
- 1 - ER (w/att.)
- 1 - DDA (w/att.)
- 1 - GC (w/att.)
- 1 - IG (w/att.)
- 1 - Counsel/DCI (w/att.)
- 1 - D/OCA (w/att.)
- 1 - DDL/OCA (w/att.)
- 1 - OCA Records (w/att.)
- 1 - DMP Chrono (w/o att.)
- 1 - OCA/LEG Subj File (w/att.)

S E C R E T

SUBJECT: Ltr to Louis Stokes from John Helgerson re referrals to
the Intelligence Oversight Board during the last five years.

D/OCA/JLH [redacted] 12 Sep 88

25X1

Distribution:

- Orig - addressee
- 1 - DDCI (w/enc.)
- 1 - EXDIR (w/enc.)
- 1 - ER (w/enc.)
- 1 - DDA (w/enc.)
- 1 - GC (w/enc.)
- 1 - IG (w/enc.)
- 1 - Counsel/DCI (w/enc.)
- 1 - D/OCA (w/enc.)
- 1 - DDL/OCA (w/enc.)
- 1 - OCA Records (w/enc.)
- 1 - DMP Chrono (w/enc.)
- 1 - OCA/LEG Subj File (w/enc.)

Page Denied

Next 7 Page(s) In Document Denied

EXECUTIVE SECRETARIAT

ROUTING SLIP

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI		X		<i>Wm</i>
2	DDCI		X		
3	EXDIR		X		
4	D/ICS				
5	DDI				
6	DDA		X		
7	DDO				
8	DDS&T				
9	Chm/NIC				
10	GC		X		
11	IG		X		
12	Compt				
13	D/OCA	X			
14	D/PAO				
15	D/PERS				
16	D/Ex Staff				
17	Counsel/DCI		X		
18					
19					
20					
21					
22					

SUSPENSE _____ Date _____

CONTROL NO. _____

REFS: _____

PRIOR PAPERS ON THIS SUBJECT: NO YES

PRIOR CORRES SENT TO: _____

OTHER COMMENTS: *H/C to OCA**DyS/ES 10 AUG 1988*EXECUTIVE REGISTRY FILE NO: *B4061R*

CROSS REF: _____

Remarks

*10 AUG 1988**I want to see this first*

STAT

Executive Secretary

1 AUG 88

Date

3637 (10-81)

Jim
We originally
suspended this
for 15 Aug 88
B

B-406-1R

MEMORANDUM FOR:

DCI

Attached is a letter from Chairman Stokes requesting that you provide the Committee a written description of the procedures within the Intelligence Community for informing the oversight committees of matters involving the possible violation of Attorney General guidelines. D/OCA plans to provide a response over his signature.



4 August 1988

STAT

Date

FORM 101 USE PREVIOUS
5-75 EDITIONS

LOUIS STOKES, OHIO, CHAIRMAN

ROOM H-405, U.S. CAPITOL
(202) 225-4121

ANTHONY C. BEILENSON, CALIFORNIA
ROBERT W. KASTENMEIER, WISCONSIN
ROBERT A. ROE, NEW JERSEY
MATTHEW F. MCHUGH, NEW YORK
BERNARD J. DWYER, NEW JERSEY
CHARLES WILSON, TEXAS
BARBARA B. KENNELLY, CONNECTICUT
DAN GLICKMAN, KANSAS
NICHOLAS MAVROULES, MASSACHUSETTS
BILL RICHARDSON, NEW MEXICO

HENRY J. HYDE, ILLINOIS
DICK CHENEY, WYOMING
BOB LIVINGSTON, LOUISIANA
BOB MCEWEN, OHIO
DANIEL E. LUNGREN, CALIFORNIA
BUD SHUSTER, PENNSYLVANIA

THOMAS S. FOLEY, WASHINGTON, EX OFFICIO
ROBERT H. MICHEL, ILLINOIS, EX OFFICIO

U.S. HOUSE OF REPRESENTATIVES

PERMANENT SELECT COMMITTEE
ON INTELLIGENCE

WASHINGTON, DC 20515-6415

THOMAS K. LATIMER, STAFF DIRECTOR
MICHAEL J. O'NEIL, CHIEF COUNSEL
THOMAS R. SMEETON, ASSOCIATE COUNSEL

July 28, 1988

Honorable William H. Webster
Director of Central Intelligence
Washington, D. C. 20505

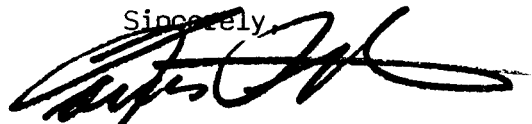
Dear Judge Webster:

Recently, the Permanent Select Committee on Intelligence was informed of a matter involving the possible violation of Attorney General guidelines that had been referred to the Intelligence Oversight Board. The Committee has been informed of few such referrals and wishes to review procedures of intelligence agencies and elements for informing the House and Senate Intelligence Committees of possible violations of law, executive order or derivative regulations.

Accordingly, I request that you provide the Committee with a written description of the procedures within the intelligence community for informing the committees of such matters and a comprehensive list of all relevant referrals to the Intelligence Oversight Board during the previous five calendar years.

I have sent an identical request to the Secretary of Defense.

Sincerely,



LOUIS STOKES
Chairman

cc: Honorable David L. Boren

Declassified in Part - Sanitized Copy Approved for Release
2012/08/31 : CIA-RDP90G01353R000300340010-5

CONTROL NO. _____

REFS: _____

PRIOR PAPERS ON THIS SUBJECT: NO YES

PRIOR CORRES SENT TO: _____

OTHER COMMENTS: _____

Copies Distributed

EXECUTIVE REGISTRY FILE NO: *B406 IR*

CROSS REF: _____

Declassified in Part - Sanitized Copy Approved for Release
2012/08/31 : CIA-RDP90G01353R000300340010-5

EXECUTIVE SECRETARIAT

ROUTING SLIP

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	EXDIR		X		
4	D/ICS				
5	DDI				
6	DDA		X		
7	DDO				
8	DDS&T				
9	Chm/NIC				
10	GC		X		
11	IG		X		
12	Compt				
13	D/OCA	X			
14	D/PAO				
15	D/PERS				
16	D/Ex Staff				
17	Counsel/DCI		X		
18	ER				
19					
20					
21					
22					
	SUSPENSE				

Date

Remarks

STAT

Executive Secretary

1 AUG 88

Date

3637 (10-81)

LOUIS STOKES, OHIO, CHAIRMAN

ROOM H-405, U.S. CAPITOL
(202) 225-4121

ANTHONY C. BEILENSON, CALIFORNIA
ROBERT W. KASTENMEIER, WISCONSIN
ROBERT A. ROE, NEW JERSEY
MATTHEW F. McHUGH, NEW YORK
BERNARD J. DWYER, NEW JERSEY
CHARLES WILSON, TEXAS
BARBARA B. KENNELLY, CONNECTICUT
DAN GLICKMAN, KANSAS
NICHOLAS MAVROULES, MASSACHUSETTS
BILL RICHARDSON, NEW MEXICO

U.S. HOUSE OF REPRESENTATIVES

PERMANENT SELECT COMMITTEE
ON INTELLIGENCE

WASHINGTON, DC 20515-6416

THOMAS K. LATIMER, STAFF DIRECTOR
MICHAEL J. O'NEIL, CHIEF COUNSEL
THOMAS R. SMEETON, ASSOCIATE COUNSEL

HENRY J. HYDE, ILLINOIS
DICK CHENEY, WYOMING
BOB LIVINGSTON, LOUISIANA
BOB McEWEN, OHIO
DANIEL E. LUNGREN, CALIFORNIA
BUD SHUSTER, PENNSYLVANIA
THOMAS S. FOLEY, WASHINGTON, EX OFFICIO
ROBERT H. MICHEL, ILLINOIS, EX OFFICIO

July 28, 1988

Honorable William H. Webster
Director of Central Intelligence
Washington, D. C. 20505

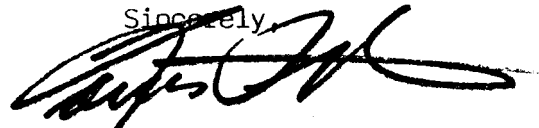
Dear Judge Webster:

Recently, the Permanent Select Committee on Intelligence was informed of a matter involving the possible violation of Attorney General guidelines that had been referred to the Intelligence Oversight Board. The Committee has been informed of few such referrals and wishes to review procedures of intelligence agencies and elements for informing the House and Senate Intelligence Committees of possible violations of law, executive order or derivative regulations.

Accordingly, I request that you provide the Committee with a written description of the procedures within the intelligence community for informing the committees of such matters and a comprehensive list of all relevant referrals to the Intelligence Oversight Board during the previous five calendar years.

I have sent an identical request to the Secretary of Defense.

Sincerely,



LOUIS STOKES
Chairman

cc: Honorable David L. Boren